

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of *Burbank et al.*For: **BREAST BIOPSY SYSTEM
AND METHODS**

Serial No.: 09/379,371

Filed: August 13, 2001

Atty. Docket No.: R0367-00101

Examiner of Parent Application:

M. Hindenburg

Group Art Unit: 3736

TRANSMITTAL

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail, postage prepaid addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 9/10/03 in San Francisco, CA.By: Anne Marie Leavy

Anne Marie Leavy

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is a Second Preliminary Amendment. Also enclosed is a Change of Correspondence Address.

2. Claim Fee Calculation

X No additional claim fee is required. Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

Base Claims	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	5 - 5 =	0 x	\$42=	\$ 0
Total Claims	2202	26 - 26 =	0 x	\$9=	\$ 0

Total Fees Due.....\$ -0-

3. Payment of Fees

 Enclosed is a check for the total fees due in the amount of .X The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00101.By: Edward J. Lynch

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

For: **BREAST BIOPSY SYSTEM AND
METHODS**

Serial No. 09/929,371

Filed: August 13, 2001

Docket. No.: R0367-00101

) Examiner: D. J. McCrosky

) Group Art Unit: 3736

) COMMUNICATION

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this these papers are being sent by facsimile to (703) 877-9306, addressed to Examiner David J. McCrosky,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 24, 2004, in San Francisco, CA

By: [Signature]

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
via FACSIMILE

Dear Sir:

Pursuant to the Examiner's instructions in the March 24, 2004 telephonic communication, attached herewith is a copy of Applicant's Second Preliminary Amendment as filed September 10, 2003 in the above-referenced application. It appears that the filed documents inadvertently failed to be considered in the Office Action mailed on February 18, 2004. Further attached herewith is the return receipt postcard from the Patent Office acknowledging receipt of the September 10, 2003 filing. **Please note the Change Of Correspondence Address filed concurrently on September 10, 2003.**

Based on the aforementioned telephonic communication, it is now Applicant's understanding that another Office Action will be mailed to Applicant upon Examiner's review of the Second Preliminary Amendment.

Respectfully submitted,

By: [Signature]

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FACSIMILE TRANSMITTAL SHEET

TO: Examiner DAVID J. MCCROSKY

FIRM/COMPANY: USPTO

FACSIMILE NUMBER: 703.746-8310

**CONFIRMATION
TELEPHONE:** 703.305-1331

FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: March 24, 2004

USER NUMBER: 2003

FILE NUMBER: Atty Docket No. R0367-00101, USSN 09/929,371

TOTAL # OF PAGES: 17
(INCLUDING COVERSHEET)

MESSAGE: Attached are *Communication*, copy of *Second Preliminary Amendment* and *Change Of Correspondence Address* as filed September 10, 2003, and copy of *return receipt postcard*.

NOTE: Original will not follow

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